

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VLADIMIR GOLDSHTEYN, individually and on)	
behalf of all others similarly situated,)	1:10-cv-5402
Plaintiff,)	
)	Magistrate Judge Nolan
v.)	(by consent)
)	
ARGONNE CREDIT UNION,)	CLASS ACTION
Defendant.)	JURY DEMANDED

JOINT INITIAL STATUS REPORT FOR A CONSENT CASE

The parties jointly submitted the following joint status report to the District Judge, except that it has been updated, and the parties have suggested a new discovery closure date.

1) Nature of claims and counterclaims – Plaintiff claims that the defendant credit union violated the Electronic Funds Transfer Act, 15 U.S.C. 1693 et seq. (“EFTA”) by failing to post adequate ATM fee notice.

2) Relief sought by plaintiff – Plaintiff seeks actual damages relating to the wrongful fees taken by defendant, plus statutory damages pursuant to 15 U.S.C. §1693m.

3) Names of parties not served – All parties have been served.

4) Principal legal issues – Whether defendant violated the EFTA, whether defendant is entitled to affirmative defenses, whether class certification is proper.

5) Principal factual issues – Whether defendant can prove its affirmative defenses, whether class certification is proper.

6) List of pending motions and brief summary of bases for motions – Plaintiff's motion for continuance of the class certification briefing schedule, for a settlement conference and to compel is pending.

7) Description of discovery requested and exchanged – Plaintiff plans to ask for discovery regarding class issues (e.g. identities of class members), merits issues (e.g. records of fee notice signage) and any defenses claimed.

8) Type of discovery needed – Plaintiff anticipates needing document discovery, requests for admission and interrogatories from defendant. If the subject ATMs were administered by any outside company, then plaintiff would need to issue subpoenas such companies.

9) Proposed dates for:

Rule 26(a)(1) disclosures – October 25, 2010.

Fact discovery completion – Parties suggest May 27, 2011 (previously set for March 28, 2011).

Expert discovery completion (including dates for the delivery of expert reports)

Party with the burden of proof – May 27, 2011;

Response/Rebuttal – June 30, 2011 (or 30 days after initial disclosure);

Reply, if any – July 29, 2011 (or 30 days after response/rebuttal disclosure).

Filing of dispositive motions – August 26, 2011.

Filing of a final pretrial order – October 30, 2011.

10) Estimation of when the case will be ready for trial – November 30, 2011.

11) Probable length of trial – four days.

12) Whether a request has been made for a jury trial. The parties have requested a jury trial.

13) Whether there have been settlement discussions and if so the outcome of those discussions. The parties have begun initial discussions regarding settlement, but the discussions are inconclusive at this juncture.

14) Whether the parties consent to proceed before a Magistrate Judge – The parties do not unanimously consent to proceed before a magistrate judge.

Respectfully Submitted,

/s/Alexander H. Burke
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